

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY TERRELL MCGOWAN,

Plaintiff,

Case No. 1:22-cv-852

v.

Honorable Phillip J. Green

CELENA HERBERT, et al.,

Defendants.

ORDER

This is a civil rights action brought by a county detainee under 42 U.S.C. § 1983. In an opinion and judgment (ECF Nos. 5, 6) entered on October 11, 2022, the Court dismissed Plaintiff's complaint for failure to state a claim upon which relief may be granted. On November 7, 2022, the Court received Plaintiff's notice of appeal (ECF Nos. 8, 9) of that decision, as well as his motion for an extension of time to file a notice of appeal (ECF No. 7). In civil cases not involving the United States or federal employees and agencies, such as Plaintiff's, a notice of appeal "must be filed . . . within 30 days after entry of the judgment or order appealed from." *See* Fed. R. App. P. 4(a)(1)(A). Here, Plaintiff filed his notice of appeal within 30 days from October 11, 2022, and therefore does not require an extension of time to file such. Accordingly,

IT IS ORDERED that Plaintiff's motion for an extension of time to file a notice of appeal (ECF No. 7) is **DENIED AS MOOT**.

Dated: November 14, 2022

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge